

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PABLO SOLIS et al.

Plaintiffs,

-v-

53rd STREET PARTNERS LLC d/b/a REMI RESTAURANT,
ROBERTO DELLEDONNE, and STEFANO FRITTELLA,

Defendants.

CIVIL ACTION NO.: 19 Civ. 11708 (PGG) (SLC)

ORDER REGARDING DAMAGES INQUEST

SARAH L. CAVE, United States Magistrate Judge.

This matter having been referred to the undersigned to conduct an inquest and provide a report and recommendation regarding Plaintiffs' damages and attorneys' fees, it is hereby **ORDERED** that:

1. Plaintiffs shall submit proposed findings of fact and conclusions of law concerning damages and attorneys' fees by **September 7, 2020**. Plaintiffs must support all factual assertions by affidavit and/or other evidentiary material. In addition, Plaintiffs must complete the damages and attorneys' fees and costs summary charts appended to this Order for each named Plaintiff, attorney, and attorney's employee for whom Plaintiffs request an award. Chambers will also transmit Word versions of these charts to the parties via email.
2. Defendants shall submit their response to Plaintiffs' submissions, if any, by **September 21, 2020**. IF DEFENDANTS (1) FAIL TO RESPOND TO PLAINTIFFS'

SUBMISSIONS, OR (2) FAIL TO CONTACT THE COURT BY SEPTEMBER 21, 2020
AND REQUEST AN IN-COURT HEARING, THE COURT WILL ISSUE A REPORT AND
RECOMMENDATION REGARDING DAMAGES AND ATTORNEYS' FEES BASED
ON PLAINTIFFS' WRITTEN SUBMISSIONS ALONE, WITHOUT AN IN-COURT
HEARING. See Transatlantic Marine Claims Agency, Inc. v. Ace Shipping Corp.,
109 F.3d 105, 111 (2d Cir. 1997) (“[I]t [is] not necessary for the District Court
to hold a hearing, as long as it ensured that there was a basis for the damages
specified in the default judgment.”) (quoting Fustok v. ContiCommodity
Servs. Inc., 873 F.2d 38, 40 (2d Cir. 1989))).

Plaintiffs are directed to serve a copy of this Order on Defendants by mail and file proof of service
on the docket by **August 14, 2020**.

Dated: New York, New York
August 7, 2020

SO ORDERED


SARAH L. CAVE
United States Magistrate Judge

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<u>Requested Attorneys' Fees</u>			
Timekeeper	Requested Rate	Requested Hours	Requested Total
		TOTAL:	

<u>Requested Costs</u>		
Type of Expense	Evidence (with ECF cite)	Amount Requested
	TOTAL:	

Damages Chart for [name of Plaintiff]¹									
Year(s) of employment²	Applicable Min. Wage Rate³	Weekly Hrs. Worked	Actual Rate paid⁴	Alleged unpaid Min. Wages / wk	Alleged unpaid Overtime / wk	Alleged Owed / wk	No. Weeks Worked	Statutory damages	Total alleged owed / yr
[Year]									
[Year]									
[Year]									
TOTAL:									
Total Requested Damages:									

<u>Total Requested Damages</u>						
Plaintiff⁵	Minimum Wage	Overtime	Liquidated Damages	Prejudgment Interest	Statutory Damages	Total
[name]						
[name]						

¹ Please add explanatory footnotes as applicable and as needed to explain entries or to point the Court to supporting materials for a particular entry.

² Add rows as necessary to cover the plaintiff's time of employment.

³ Include citation to applicable statute or regulation setting forth the applicable minimum wage for time period.

⁴ Clearly indicate whether this rate was paid per hour work or per week.

⁵ Add rows as necessary to cover each plaintiff.